

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BETWEEN: -

Claim No: HC11C03380

JOAN SMITH

Claimant

- and -

(1) NEWSGROUP NEWSPAPERS LIMITED
(2) GLENN MULCAIRE

Defendants

STATEMENT IN OPEN COURT

Counsel/solicitor for the Claimant

1. In this action for misuse of private information, breach of confidence and harassment, I appear for the Claimant. My learned friend, Michael Silverleaf QC, appears for the First Defendant.
2. The Claimant is a well-known author, journalist and human rights activist who, at the time of the events in question, was a regular columnist in *The Times* and *The Independent*. Between 2004 and 2010 she was the subject of media scrutiny and intrusion as a result of her then relationship with the Rt. Hon. Dr Denis MacShane MP. The First Defendant was the publisher of *The News of the World* newspaper which, until its notorious closure in July 2011, was the UK's biggest selling Sunday newspaper with a very considerable readership in this

jurisdiction. It was also published in an on-line version, www.newsoftheworld.com. As is now common knowledge, the Second Defendant was a private investigator engaged by the First Defendant to carry out various investigative activities. His methods included the unlawful interception of mobile telephone voicemail messages and obtaining information from mobile telephone companies and others by deception, a practice commonly known as "blagging".

3. In 2011, during the course of its investigations into the activities of the Defendants, the Metropolitan Police showed the Claimant a number of documents which strongly suggested that the Defendants had accessed and listened to numerous private messages left by and for her.
4. In September 2011 the Claimant issued proceedings against the First and Second Defendants for misuse of private information, breach of confidence and harassment.
5. On 13 December 2011 the First Defendant admitted a list of matters including that it had entered into an agreement with the Second Defendant and paid him hundreds of thousands of pounds to obtain information about specific individuals for use by *The News of the World* journalists and publication in the newspaper. It admitted that certain of its employees were aware of, sanctioned and requested the methods used by the Second Defendant which included the unlawful interception of mobile phone voicemail messages and obtaining call and text data, (which methods are now known as "phone hacking"); obtaining information by "blagging"; and, in one case, unlawfully accessing emails. It also admitted that the Second Defendant had provided journalists at *The News of the World* with information to enable the said journalists themselves to intercept voicemail messages. The First Defendant accepted that some information unlawfully obtained by the Second Defendant was used to enable private investigators employed by

~~*The News of the World*~~, including Derek Webb, to monitor, locate and track individuals and place them under surveillance.

6. I am here today to announce that the First Defendant has accepted liability in this matter for invasion of privacy and breach of confidence and agreed to pay damages to the Claimant in the sum of £27, 500 together with her legal costs. The Defendant has also agreed to continue to carry out searches of documents in its possession and to disclose the results to the Claimant so that she can ascertain the extent of the wrongdoing.
7. Both Defendants have also undertaken not to further access the Claimant's voicemail messages or to publish unlawfully obtained private information about the Claimant.

Counsel for the First Defendant

8. My Lord, on behalf of the First Defendant I confirm everything [my learned Friend], Mr Tomlinson QC/Ms Allen, has said.
9. The First Defendant is here today, through me, to offer its sincere apologies to the Claimant for the damage, as well as the distress, caused to her by the accessing of her voicemail messages and the obtaining of confidential information. The First Defendant acknowledges that the information should never have been obtained in the manner that it was and that the First Defendant is liable for misuse of private information and breach of confidence.

Counsel/Solicitor for the Claimant

10. My Lord I ask for leave to withdraw the record.

Tamsin Allen

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Hugh Tomlinson QC/ Tamsin Allen for the Claimant

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Michael Silverleaf

Michael Silverleaf QC for the First Defendant